

OLC 73-1171

24 OCT 1973

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**Mr. Wilfred H. Rommel
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503**

Dear Mr. Rommel:

This submits proposed legislation in accordance with Office of Management and Budget Circular No. A-19, revised. Enclosed are six copies of a draft bill, "To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes." Also enclosed are copies of a sectional analysis, a comparison with existing law, and a draft of the letter of transmittal to the President pro tempore of the Senate and the Speaker of the House of Representatives.

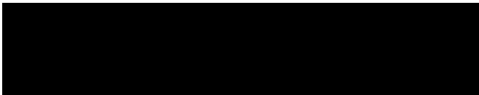
The draft bill conforms the CIA Retirement Act to the changes made in the cost of living adjustment provisions of the Civil Service retirement system on the assumption that H. R. 3799 will be enacted into law. The proposed legislation carries the same effective date as H. R. 3799.

In addition to achieving conformity with the Civil Service retirement system, the proposed amendment is in the interest of fair and orderly personnel administration in an agency such as this where our employees are covered by two separate retirement systems. It will assure that those Agency employees and their survivors covered by the CIA Retirement Act are accorded the same treatment as those covered by the Civil Service retirement system.

Advice is requested as to whether there is any objection to the submission of the proposed legislation to the Congress from the standpoint of the Administration's program.

Sincerely,

STATINTL




John M. Maury
Legislative Counsel

Enclosures

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TAB

A BILL

To amend the Central Intelligence Agency Retirement Act of 1964 for
Certain Employees, as amended, and for other purposes.

1 Be it enacted by the Senate and House of Representatives
2 of the United States of America in Congress assembled, That
3 Section 291(b) of the Central Intelligence Agency Retirement
4 Act of 1964 for Certain Employees, as amended, (78 Stat.
5 1043; 50 U.S.C. 403 note) is further amended--

6 (1) by renumbering paragraphs (1), (2) and (3) as paragraphs
7 (2), (3) and (4) respectively; and

8 (2) by inserting the following new paragraph (1):

9 "(1) An annuity (except a discontinued service benefit
10 under section 234(a)) which:

11 (i) is payable from the fund to a participant who retires,
12 or to the widow or widower of a deceased participant; and

13 (ii) has a commencing date after the effective date of
14 the then last preceding annuity increase under section 291(a);
15 shall not be less than the annuity which would have been payable
16 if the commencing date of such annuity had been the effective date
17 of the then last preceding annuity increase under section 291(a).

18 In the administration of this paragraph, a participant or deceased

1 participant shall be deemed, for the purposes of section 221(h),
2 to have to his credit, on the effective date of the then last
3 preceding annuity increase under section 291(a), a number of
4 days of unused sick leave equal to the number of days of unused
5 sick leave to his credit on the date of his separation from the
6 Agency. "

7 SEC. 2. The amendments made by this Act shall apply
8 only with respect to annuities which commence on or after
9 2 July 1973.